

Message Text

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E.O. 11652: N/A

TAGS: SHUM, SGEN

SUBJECT: 58TH ECOSOC--HRC RESOLUTION ON NGO'S

REF: USUN 1092

1. DEPT HOPES THAT USDEL WILL EXPLORE WITH WEO'S AND OTHER
LIKE-MINDED DELEGATIONS TACTICAL POSSIBILITIES OF AVOIDING
DECISION ON SUBJECT RESOLUTION. IF DEBATE AND VOTE ON
TEXTS AND AMENDMENTS CAN BE AVOIDED, CHANCES OF DAMAGE TO
EXISTING NGO RIGHTS AND PRIVILEGES WILL BE LESS LIKELY.
ONE POSSIBILITY MIGHT BE TO REFER DRAFT RESOLUTION TO
ECOSOC NGO COMMITTEE FOR STUDY AND RECOMMENDATIONS TO
ECOSOC AT SOME FUTURE SESSION. OR ACTION MIGHT BE POST-
PONED PENDING THE PREPARATION OF A REPORT BY THE SYG
ANALYZING PRESENT PROVISIONS OF VARIOUS ECOSOC RESOLUTIONS
BEARING UPON ISSUE OF CONFIDENTIALITY AS WELL AS RIGHTS
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AND PRIVILEGES OF NGO'S WITH REGARD TO ORAL STATEMENTS IN

ECOSOC AND SUBORDINATE BODIES.

2. DEPT RECOGNIZES THAT DRAFT OF POSSIBLE AMENDMENTS ARE PRELIMINARY AND REMAIN SUBJECT TO FURTHER DISCUSSION IN WEO GROUP AFTER VIEWS OF GOVERNMENTS HAVE BEEN RECEIVED. IF EVENTS DICTATE THAT SUBSTANCE OF HRC RESOLUTION MUST BE DEBATED IN ECOSOC, DEPT IS STRONGLY OF VIEW THAT

OPPONENTS OF HRC DRAFT RESOLUTION MUST BE PREPARED TO SUBMIT AMENDMENTS.

3. FOLLOWING ARE DEPT'S COMMENTS ON INITIAL DRAFT OF POSSIBLE AMENDMENTS SENT REFTEL: AMENDMENTS PROPOSED NUMBERED PARAGRAPHS 1 AND 2 OF REFTEL ARE SATISFACTORY. IN NEW PREAMBULAR PARA UNDER PARA 3, SUGGEST THAT "INFORMATION ON" BE INSERTED BEFORE CONFIDENTIAL PROCEEDINGS, SINCE USDEL'S FORMULATION WOULD APPEAR TO OVERSTATE THE EXISTING SITUATION.

4. REMAINDER OF AMENDMENTS GENERALLY SATISFACTORY WITH IMPORTANT EXCEPTION OF PROPOSED NEW OPERATIVE PARA 4. DEPT RELUCTANT TO INCLUDE IN AMENDMENTS WE MIGHT CO-SPONSOR PROVISION SUGGESTING REVIEW AND POSSIBLE SUSPENSION OF CONSULTATIVE STATUS ON GROUNDS OF BREACHES OF CONFIDENTIALITY WHICH HAVE OCCURRED UP TO NOW WITH RESPECT TO THE 1503 PROCEDURES. OUR PREFERENCE WOULD BE INSTEAD OF THE PROPOSED NEW OPERATIVE PARA 4 TO RETAIN THE PRESENT OPERATIVE PARA 4 IN THE HRC DRAFT RESOLUTION CALLING FOR CONTINUED CAREFUL EXAMINATION OF NGO ACTIVITIES BY NGO COMMITTEE. AS A FALLBACK, IF IN USDEL'S CONSULTATIONS WITH WEO'S THERE IS STRONG SENTIMENT TO HAVE SOME REFERENCE TO REVIEW, DEPT WOULD PREFER THAT REFERENCE BE INDIRECT, MERELY RECALLING THE PROVISIONS OF PARAGRAPH 36 OF COUNCIL RESOLUTION 1296 (XLIV).

5. DEPT NOTES (USUN 1125) THAT SUBJECT RESOLUTION TO BE TAKEN UP UNDER AGENDA ITEM 6. WOULD APPRECIATE INFORMATION AS TO POSSIBLE TIMING OF THIS ITEM. DEPT ALSO UNDERSTANDS THAT NGO'S ARE ACTIVELY CONTACTING DELEGATIONS OF APPROPRIATE ECOSOC MEMBERS TO STIMULATE OPPOSITION TO LIMITED OFFICIAL USE

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SUBJECT RESOLUTION. USDEL SHOULD CONTINUE TO ENCOURAGE AND ADVISE NGO'S ON THOSE KEY DELEGATIONS WITH RESPECT TO WHICH NGO APPROACHES WILL BE MOST USEFUL. KISSINGER

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